

SUBSTITUTE FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTORNEY'S DOCKET NUMBER
0789 56001TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (IF KNOWN)

09/554186

INTERNATIONAL APPLICATION NO.
PCT/JP99/04459INTERNATIONAL FILING DATE
August 19, 1999PRIORITY DATE CLAIMED
September 9, 1998TITLE OF INVENTION
BIOCHIP AND METHOD FOR USING THE SAME

APPLICANT(S) FOR DO/EO/US

Jyunji YOSHII, Masafumi SHIMODA, Kenji YAMAMOTO, Toshimisa WATANABE

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern other documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☒ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information:
 - ☒ Express Mail Declaration
 - ☐
 - ☐
 - ☐
 - ☐
 - ☐

"Express Mail" mailing label number EL558599271/USDate of Deposit 09 MAY 2000

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner of Patents and Trademarks, Washington, D.C. 20231

Derek Norwood
Derek Norwood

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|---|--------------|---|---|--------------|
| U.S. APPLICATION NO. (IF KNOWN) 097554186 | | INTERNATIONAL APPLICATION NO. PCT/JP99/04459 | ATTORNEY'S DOCKET NUMBER 07898-056001 | |
| 17. <input checked="" type="checkbox"/> The following fees are submitted: | | | CALCULATIONS | PTO USE ONLY |
| Basic National Fee (37 CFR 1.492(a)(1)-(5)): | | | | |
| Search report has been prepared by the EPO or JPO \$840 | | | \$840.00 | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) .. \$670 | | | | |
| No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)).... \$690 | | | \$0.00 | |
| Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$970 | | | \$0.00 | |
| International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(2) to (4) \$96 | | | \$0.00 | |
| ENTER APPROPRIATE BASIC FEE AMOUNT | | | \$840.00 | |
| Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(e)). | | | \$0.00 | |
| Claims | Number Filed | Number Extra | Rate | |
| Total Claims | 10 - 20 | | x \$18 | \$0.00 |
| Independent Claims | 4 - 3 | 1 | x \$78 | \$78.00 |
| Multiple Dependent Claims(s) (if applicable) | | | + \$260 | \$260.00 |
| TOTAL OF ABOVE CALCULATIONS | | | | \$0.00 |
| Reduction by 1/2 for filing by small entity, if applicable. Verified Small Entity statement must also be filed. (Note 37 CFR 1.9, 1.27, 1.28.) | | | | \$0.00 |
| SUBTOTAL | | | | \$0.00 |
| Processing fee of \$130 for furnishing the English Translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 mos. from the earliest claimed priority date (37 CFR 1.492(f)) | | | | |
| TOTAL NATIONAL FEE | | | | \$1,218.00 |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). | | | | \$40.00 |
| TOTAL FEES ENCLOSED | | | | \$1,218.00 |
| | | | Amount to be refunded | |
| | | | Charged | |
| a. <input checked="" type="checkbox"/> A check in the amount of \$0.00 to cover the above fees is enclosed. b. <input type="checkbox"/> Please charge my Deposit Account No. 06-1050 in the amount of \$0.00 to cover the above fees. A duplicate copy of this sheet is enclosed. c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 06-1050. A duplicate copy of this sheet is enclosed. | | | | |
| NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status. | | | | |
| SEND ALL CORRESPONDENCE TO: | | | | |
| John R. Wetherell, Jr., Ph.D. FISH & RICHARDSON P.C. 4350 La Jolla Village Drive, Suite 500 San Diego, CA 92122 (858) 678-5070 phone (858) 678-5099 facsimile | | | <i>John R. Wetherell, Jr.</i> 43,488 SIGNATURE John R. Wetherell, Jr., Ph.D. NAME 31,678 REGISTRATION NUMBER | |

09/554186

PATENT APPLICATION SERIAL NO. 09/554186

U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE
OFFICE RECORD SHEET

05/15/2000 WCLAYBRO 00000064 09554186

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| 01 FC:970 | 840.00 OP |
| 02 FC:964 | 78.00 OP |
| 03 FC:968 | 260.00 OP |